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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/808,050	03/24/2004	Kurt L. Barth	503

CONFIRMATION NO. 4201

FORMALITIES LETTER



OC000000013363935

28782
 WILLIAM E HEIN
 PO BOX 335
 LOVELAND, CO 80539-0335

Date Mailed: 07/28/2004

NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION

10/01/2004 MMEKONEN 00000044 10808050-

FILED UNDER 37 CFR 1.53(b)

01 FC:1460 130.00 BP

A filing date has been accorded to the above-identified nonprovisional application papers; however, the following item(s) appear to have been omitted from the application:

- Figure(s) **10A**, **10B** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

Applicant is advised that generally the filing fee required for an application is the filing fee in effect on the filing date accorded the application and that payment of the requisite basic filing fee on a date later than the filing date of the application requires payment of a surcharge (37 CFR 1.16(e)). To avoid processing delays and payment of a surcharge, applicant should submit any balance due for the requisite filing fee based on the later filing date being requested when submitting the omitted item(s) and the petition (and petition fee) requesting the later filing date.

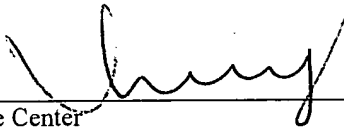
III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the

references in the specification to the drawing figures to correspond with any relabeled drawing figures, is required. A copy of the drawing figures showing the proposed changes in red ink should accompany with any drawing changes. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
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A copy of this notice MUST be returned with the reply.

A handwritten signature in black ink, appearing to be "J. H. H.", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

ART UNIT

Examiner

Kurt L. Barth et al.

CASE 503

SERIAL NO. 10/808,050

FILED March 24, 2004

SUBJECT APPARATUS AND PROCESSES FOR THE MASS PRODUCTION OF PHOTOVOLTAIC
MODULES

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DATE OF DEPOSIT September 28, 2004
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(TYPED OR PRINTED NAME OF PERSON MAILING PAPER OR FEE)

(SIGNATURE OF PERSON MAILING PAPER OR FEE)

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SIR:

PETITION IN RESPONSE TO NOTICE OF OMITTED ITEM(S)

This petition is in response to the NOTICE OF OMITTED ITEM(S) IN A NONPROVISIONAL APPLICATION mailed July 28, 2004, in the above-identified patent application. That Notice, a copy of which is attached hereto, states that Figures 10A and 10B of the drawings appears to have been omitted from the application as filed on March 24, 2004. This petition is filed under option I set forth in the outstanding NOTICE OF OMITTED ITEM(S). In support thereof, applicants' undersigned attorney states the following:

1. That on March 24, 2004, applicants' undersigned attorney personally

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prepared the above-identified divisional patent application, including a utility patent application transmittal form, a fee transmittal form, a check in the amount of \$975 in payment of the filing fee, and 67 sheets comprising 50 sheets of specification, claims, and abstract, 14 sheets of drawings, and 3 sheets of Declaration as filed in grandparent application Serial No. 09/583,381, all for mailing by Express Mail to the Patent and Trademark Office.

2. That applicants' undersigned attorney personally reviewed the documents set forth in the preceding paragraph, as well as a confirmation postcard identifying those documents, prior to inserting them in a U.S. Postal Service Express Mail envelope.

3. That the 67 sheets of specification, claims, abstract, drawings, and Declaration inserted in the Express Mail envelope by applicants' undersigned attorney included two sheets of drawings containing Figures 10A and 10B, copies of which are attached hereto.

4. That on March 31, 2004, applicants' undersigned attorney received his confirmation postcard in the mail from the Patent and Trademark Office.

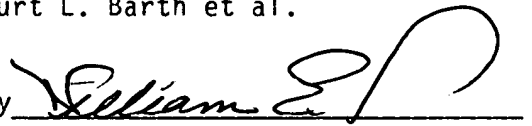
5. That the confirmation postcard received by applicants' undersigned attorney, a copy of which is attached hereto, identifies the above-referenced patent application by filing date and serial number on a sticker placed thereon by the Patent and Trademark Office and acknowledges receipt of the documents set forth in paragraph 1 above, including the 67 sheets of specification, claims, abstract (50 sheets), drawings (14 sheets), and Declaration (3 sheets), which 14 sheets of drawings included the two sheets of drawings containing Figures 10A and 10B, now alleged by the PTO to have been

omitted from the papers originally deposited in the Office on March 24, 2004.

In view of the foregoing, it is contended that the two sheets of drawings containing Figures 10A and 10B in connection with the above-identified patent application were received by the Patent and Trademark Office with all of the other papers and fee, identified on the attached confirmation postcard, in the Express Mail package deposited on March 24, 2004, by applicants' undersigned attorney. It is therefore respectfully requested that this petition be granted and that the enclosed petition fee in the amount of \$130 be refunded.

Respectfully submitted,

Kurt L. Barth et al.

By 

William E. Hein
Patent Attorney #26,465

September 28, 2004
(970) 667-6741
Loveland, Colorado



Dear Sir:

17548 U.S. PTO
10/808050



Please acknowledge receipt of the document(s) described below by imprinting the Patent & Trademark Office "Date Stamp" hereon and returning to the addressee indicated on the reverse.

U.S. Patent Application Serial No. 10/200,265 entitled APPARATUS AND PROCESSES FOR THE MASS PRODUCTION OF PHOTO-VOLTAIC MODULES filed July 22, 2002 (Kurt L. Barth et al.)
UTILITY PATENT APPLICATION XMTL FORM REQUESTING FILING OF
A DIVISIONAL APPLICATION IN RESPONSE TO OFFICE ACTION
MAILED 9/25/03; FEE XMTL FORM; ATTY'S CHECK IN THE AMOUNT
OF \$975 IN PAYMENT OF THE FILING FEE & PROCESSING FEE;
67 SHEETS OF SPECIFICATION, CLAIMS, ABSTRACT, DRAWINGS,
AND DECLARATION AS FILED IN GRANDPARENT APPLICATION SER.
NO. 09/583,381; PRELIMINARY AMENDMENT; EXPRESS MAIL CERT.
#EV310882935 DATED MARCH 24, 2004

CASE: 503